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OFFICE OF PETITIONS
ON PETITION

In re Application of
Vecchio
Application No. 10/074,057
Filed: February 11, 2002
Attorney Docket No. 15670-032002
For: PROCESS FOR MAKING
METALLIC/INTERMETALLIC COMPOSITE
LAMINATE MATERIALS, AND MATERIALS
SO PRODUCED ESPECIALLY FOR USE IN
LIGHTWEIGHT ARMOR

This is a decision on the petition under 37 CFR 1.137(b), filed on September 2, 2004 (certificate of mailing date August 27, 2004) to revive the above-identified application.

The above-identified application became abandoned for failure to reply in a timely manner to the November 1, 2002 non-final Office action which set an extendable three (3) month period for reply. No extensions of time having been obtained pursuant to 37 CFR 1.136(a) and no reply being received in the Office, this application became abandoned on February 2, 2003. A Notice of Abandonment was mailed on August 21, 2003.

Applicant has submitted an amendment in reply to the November 1, 2002 non-final Office action, an acceptable statement of the unintentional nature of the delay in responding to the November 1, 2002 non-final Office action, and the petition fee.¹

The petition is **GRANTED**.

After the mailing of this decision the application will be forwarded to Technology Center Art Unit 3641's technical support staff for processing of the amendment filed on September 2, 2004 (certificate of mailing date August 27, 2004).

¹The statement of unintentional delay presented in the petition does not comply with the current rule. 37 CFR 1.137(b)(3) requires a statement that "the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional" be submitted. However, the statement presented will be accepted and construed as meaning that "the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional." If this is an incorrect interpretation in view of the rules, petitioner is required to provide a statement to that effect.

Telephone inquiries pertaining to this decision may be directed to the undersigned at (571) 272-3230.

A handwritten signature in black ink, reading "E. Shirene Willis". The signature is written in a cursive style with a large, stylized initial "E".

E. Shirene Willis
Senior Petitions Attorney
Office of Petitions